



Attorney Docket No. 25826

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Group Art Unit: 1614

NEWMARK et al.

Examiner: Unknown

Serial No. 10/728,087

Filed: December 5, 2003

For: METHODS FOR TREATING PROSTATE CANCER WITH HERBAL COMPOSITIONS

TRANSMITTAL LETTER

Commissioner of Patents  
P.O. Box 1450  
Alexandria, Va 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

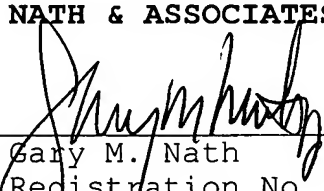
- (1) Transmittal Letter;
- (2) Information Disclosure Statement;
- (3) PTO Form 1449 with 22 references;
- (4) Copies of 12 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,

**NATH & ASSOCIATES PLLC**

By: \_\_\_\_\_

  
Gary M. Nath  
Registration No. 26,965  
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Registration No. 41,194  
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Date: May 2, 2005  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:  
 TRADEMARK et al.

Group Art Unit: 1614

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For: METHODS FOR TREATING PROSTATE CANCER WITH HERBAL COMPOSITIONS

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

- [ X ] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- [ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

- [ ] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or
- [ ] ii. a check in the amount required by 37 C.F.R. § 1.17(p).
- [ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.
- [ ] Certification report(e) below; and
- [ ] a check in the amount as required by § 1.17(p).
- [ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.
- [ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]



[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[ X ] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

[ X ] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ X ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:  
or Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,

**NATH & ASSOCIATES**

By: \_\_\_\_\_

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Date: May 2, 2005

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FORM PTO-1449

## INFORMATION DISCLOSURE CITATION

Atty Docket  
25826Serial No.  
10/728,087Applicant  
NEWMARK et al.Filing Date  
December 5 2003Group Art Unit  
1614

## U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Issue Date	Name	Class	Sub-Class	Filing Date
	AA	5,380,738	01.10.95	Norman et al.			05.21.93
	AB	5,344,991	09.06.94	Reitz et al.			10.29.93
	AC	5,393,790	02.28.95	Reitz et al.			02.10.94
	AD	5,434,178	07.18.95	Talley et al.			11.30.93
	AE	5,474,995	12.12.95	Ducharme et al.			01.10.94
	AF	5,510,368	04.23.96	Lau et al.			05.22.95
	AC	6,387,416	05.14.02	Newmark et al.			04.05.01
	AH	5,466,823	11.14.95	Talley et al.			11.30.93
	AI	6,469,040	10.22.02	Seibert et al.			05.21.01
	AJ	6,534,540	03.18.03	Kindness et al.			07.25.01

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub-Class	Translation
	AK	WO 96/03387	08.02.96	WIPO			N/A
	AL	WO 94/13635	23.06.94	WIPO			N/A
	AM	WO 95/00501	05.01.95	WIPO			N/A
	AN	WO 94/27980	08.12.94	WIPO			N/A
	AO	WO 95/15316	08.06.95	WIPO			N/A
	AP	WO 96/25405	22.08.96	WIPO			N/A
	AQ	WO 96/03388	08.02.96	WIPO			N/A
	AR	WO 96/06840	07.03.96	WIPO			N/A
	AS	WO 94/15932	21.07.94	WIPO			N/A
	AI	WO 94/20480	15.09.94	WIPO			N/A
	AU	WO 94/26731	24.11.94	WIPO			N/A

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AV	Chandrasekharan, N.V. et al. "COX-3, a cyclooxygenase-1 variant inhibited by acetaminophen and other analgesic/antipyretic drugs: Cloning, structure, and expression", PNAS, vol.99(21), pp.13926-13931, 2002.
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Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609.

Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to Applicant.